HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

Single Bench: - Hon'ble Shri S.R. NAYAK, CJ

WRIT PETITION NO. 5774 OF 2005

PETITIONERS

1. Pritam Bai, W/o Late Ubhay Ram, Aged about 55 years.
2. Thamleshwar, S/o Late Ubhay Ram, Aged about 38 years.
3. Bimleshwar, S/o Late Ubhay Ram, Aged about 32 years.
4. Chitrath Kumar, S/o Late Ubhay Ram, Aged about 25 years.
5. Chitralekha Bai, D/o Late Ubhay Ram, Aged about 26 years.
6. Janak Bai, D/o Late Ubhay Ram, Aged about 22 years.
7. Uma Bai, D/o Late Ubhay Ram, Aged about 19 years.
8. Kamlesh Kumar, S/o Late Ubhay Ram, Aged about 16 years (Minor).

   Through Brother Thamleshwar Kumar, S/o Late Ubhay Ram.

   All R/o Village Gendatola, Tahsil & District Durg (C.G.).
9. Keshar Bai, W/o Sukhnandan Singh, Aged about 34 years, R/o Khairadih, Post Sarli, Tahsil Doundilohara, Dist. Durg (C.G.).
10. Lalita Bai, W/o Khemlal, Aged about 34 years, R/o Arjunda, Tikri, Tahsil Doundilohara, District Durg (C.G.).

Versus

RESPONDENT

Rahi Bai, D/o Kriparam Dewangan, Aged about 53 years, Kastkar, R/o Village Gendatola, Tahsil & District Rajnandgaon (C.G.).

Present:

Mr. Anoop Mazumdar, learned counsel for the petitioners.

ORDER
(Passed on 29th November 2005)

The sole respondent herein is the plaintiff who has filed suit for declaration of title and permanent injunction. The status quo order passed by the trial Court was subsequently vacated at the instance of the petitioner herein. When that order was called in question by way of appeal before the appellate Court, the appellate Court set aside the order of the trial Court and maintained the status quo order initially granted by the trial Court.

2. Having heard learned counsel for the petitioners, I do not find any substantive ground or material irregularity or failure of justice. The status quo order made by the trial Court which has been sustained by the appellate Court, in the facts and circumstances of the case, is equitable and just and there is no warrant for interference. The writ petition is therefore dismissed, however, with no order as to costs.

Sd/-
Chief Justice

Subhu